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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,801	06/24/2003	Michael B. Monahan	D/A1572 690-011193-US	2169
2512	7590	07/13/2004	(PA)	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			EXAMINER BRASE, SANDRA L	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/602,801	MONAHAN ET AL.	
	Examiner	Art Unit	
	Sandra L. Brase	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Quayle Action

1. This application is in condition for allowance except for the following formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Drawing

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 74, 76 and 113. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities.

On page 4, line 17, "offset.." should be changed to "offset."

On page 8, line 15, "4" should be changed to "4a".

On page 9, line 24, "4" should be changed to "4b".

Appropriate correction is required.

Claim Objections

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

5. Misnumbered claim 12 (second occurrence), 13, 14, 15 have been renumbered 13, 14, 15 and 16 respectively.

6. Claims 1-16 are objected to because of the following informalities.

On line 18 of claim 1, “and” should be inserted after “difference;”.

On line 16 of claim 9, “and” should be inserted after “speed;”.

Claim 14 should depend upon claim 11, not 10 so as to give the claimed limitation “said step of adding said predetermined increment proper antecedent basis. Appropriate correction is required.

Allowable Subject Matter

7. Claims 1-16 are allowed.

Claims 1-8

8. The primary reasons for allowance are a first control circuit for supplying an input voltage to the claimed main drive motor to enable the main drive motor to generate a torque

Art Unit: 2852

according to the claimed predetermined function, the first control circuit including a circuit for receiving the speed signal from the speed sensor and comparing the indicated speed with a predetermined operating speed and further adjusting the input voltage relative to the difference; and a second control circuit for supplying an input voltage to the claimed assist drive motor to enable the assist drive motor to generate a torque according to the predetermined function. The above limitations are contained in claims 1-8, but are not taught or suggested by the prior art.

Claims 9-16

9. The primary reasons for allowance are the steps of supplying an input voltage to the claimed main drive motor to enable the main drive motor to generate a torque according to the claimed predetermined function; adjusting the input voltage in response to a difference between the claimed speed signal from the claimed speed sensor and a predetermined operating speed; and supplying an input voltage to the claimed assist drive motor to enable the assist drive motor to generate a torque according to the predetermined function. The above limitations are contained in claims 9-16, but are not taught or suggested by the prior art.

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Murakami (US 4,330,194), Pothast et al. (US 4,711,562), Genovese (US 5,418,600), and Casella et al. (US 6,421,513) disclose the use of a plurality of drive motors.

Fujii et al. (US 5,381,167) disclose a belt speed sensor.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is 571-272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sandra L. Brase
Primary Examiner
Art Unit 2852

July 9, 2004